IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 11TH APRIL 2007 / 21ST CHAITHRA 1929

WP(C).No. 8710 of 2007(J)

PETITIONER:

QUEEN MARY PUBLIC SCHOOL,
PANIKKANKUDY, IDUKKI, REP. BY ITS
MANAGER, SR. BENEDICT S.D.

BY ADV. SRI.V.M.KURIAN
SRI.MATHEW B. KURIAN
SRI.K.T.THOMAS
SMT.TULASI PANICKER

RESPONDENTS:
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1. STATE OF KERALA, REP. BY
SECRETARY TO GOVERNMENT, GENERAL EDUCATION
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE PRINCIPAL OFFICER,
CENTRAL BOARD OF SECONDARY EDUCATION,
(AFFILIATION UNIT), AMC CELL, PREETH VIHAR,
DELHI-110 092.

BY GOVERNMENT PLEADER SMT.M.R.SREELATHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PETITIONER'S EXHIBITS

EXT.P1	**TRUE COPY OF THE INSTRUCTIONS ISSUED BY CBSE FOR SUBMISSION OF APPLICATION FOR AFFILIATION**
EXT.P2	**TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER.**
EXT.P3	**TRUE COPY OF THE LETTER DTD. 28-6-05 SENT BY THE DISTRICT EDUCATIONAL OFFICER TO DIRECTOR OF PUBLIC INSTRUCTION, TRIVANDRUM**
EXT.P4	**TRUE COPY OF THE REPORT DTD. 15-5-06 SENT BY THE DISTRICT EDUCATIONAL OFFICER TO THE DIRECTOR OF PUBLIC INSTRUCTION**
EXT.P5	**TRUE COPY OF THE LETTER DTD. 25-4-06 SENT BY DEO TO DPI, TVM.**
EXT.P6	**TRUE COPY OF THE ORDER DTD. 26-10-06 ISSUED BY R1**
EXT.P7	**TRUE COPYOF THE ORDER DTD. 17-1-07 ISSUED BY R1**
EXT.P8	**TRUE COPY OF THE ORDER DTD. 17-1-07 ISSUED BY R1**

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

W.P.(C).No.8710 OF 2007

Dated this the 11th day of April, 2007

JUDGMENT

Petitioner is a registered public charitable trust. Petitioner challenges Ext.P7 and seeks a direction to consider Ext.P2 on merits and to issue NOC to the petitioner school expeditiously for obtaining affiliation from Std. VIII onwards from the Central Board of Secondary Education expeditiously.

2. By Ext.P7 order the application of the petitioner for NOC is returned in the light of the rejection of the application by the Government.

3. I heard learned counsel for the petitioner Sri.V.M.Kurian and the learned Government Pleader also.

4. Learned Government Pleader submits that the Government has constituted a Committee and the Committee has submitted its report. As far as the grant of no objection for CBSE

is concerned, Government is framing new guidelines. Guidelines will be framed on or before 27/04/2007, it is submitted. It is further submitted that if the petitioner makes a application in pursuance of the new guidelines, the same will be considered and a decision will be taken in accordance with law within a period of one month from the date of the application.

In the light of the above submission, the writ petition is disposed of as follows:

The guidelines in relation to grant of no objection for CBSE will be framed by the first respondent on or before 27/04/2007. If the petitioner makes an application in pursuance of the said guidelines, the first respondent will consider the same and take a decision in accordance on the same in accordance with law within one month from the date of receipt of the application.

K.M.JOSEPH
JUDGE

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